



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt Resolution Authorizing the Harney Lane Alternative to Measure K Railroad Grade Separation Project

**MEETING DATE:** June 17, 2009

**PREPARED BY:** Community Development Director

---

**RECOMMENDED ACTION:** Adopt resolution authorizing the Harney Lane alternative to Measure K Railroad Grade Separation Project.

**BACKGROUND INFORMATION:** As part of the original Measure K Strategic Plan, \$30 million dollars was programmed for railroad crossing safety projects throughout the County. The 1992 plan identified **14** railroad grade separation projects. These projects were prioritized based on criteria developed by the Council of Governments (COG) at that time. Grade separation projects that have been completed using Measure K funds include Hammer Lane and March Lane in Stockton. The only Lodi project identified was Lodi Avenue at the Union Pacific right-of-way.

Recently, the Council of Governments has requested that the City reaffirm its position relative to Lodi Avenue. Apparently, other grade separation projects in the County are not moving forward as planned so there is a potential to accelerate the construction of a project in Lodi. COG has requested that the City respond by the end of June. City staff asked that the COG staff review the criteria against the Harney Lane crossing at the Union Pacific right-of-way in the alternative to Lodi Avenue. The two grade separations score evenly and as such the COG staff would entertain a request by the City of Lodi to substitute the designated funds for Harney Lane.

In 1997, the City Council decided to not pursue the Lodi Avenue grade separation project due to impacts related to the downtown area and the relative high cost of the project. The COG approved moving the funds to the Central City Rail Safety Project that resulted in the removal of the Kentucky House Branch and the Lodi Avenue rail lines.

The obstacles and issues affecting Lodi Avenue grade separation do not exist at Harney Lane. Importantly, the right-of-way needed to construct an undercrossing at Harney Lane has been reserved on the north side of the street. Right-of-way will be necessary on the south side, but has already been anticipated as part of the Reynolds Ranch project in the southeast quadrant. The southwest quadrant is currently in farming activity. The property owner of this land is aware of the undercrossing project. The impact would be negligible as it is assumed that the property will ultimately develop with urban uses in the future.

---

APPROVED:

Blair King, City Manager

The Planning Commission reviewed this item at its May 27, 2009 meeting. The Commission felt the modification was in the community's best interest and has recommended that the City Council adopt the alternative as Harney Lane.

Attachments to this communication include the aerial photographs for Lodi Avenue and Harney Lane as well as the information from the City Council proceedings in 1997.

**FISCAL IMPACT:** N/A

**FUNDING AVAILABLE:** N/A

  
\_\_\_\_\_  
Konradt Bartlam  
Community Development Director

RH/kjc

Attachments





## Proposed Lodi Avenue Underpass

0 0.025 0.05 0.1 0.15 0.2 Miles

Albers Projection  
Central Meridian: -96  
Standard Parallel: 20  
False Easting: 60  
False Northing: 40







## Proposed Harney Lane Underpass

0 0.025 0.05 0.1 0.15 0.2 Miles

Albers Projection  
Central Meridian: 96  
1st GM Parallel: 30  
2nd GM Parallel: 60  
Latitude of Origin: 40







# CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: Lodi/Southern Pacific Railroad Underpass

MEETING DATE: April 2, 1997

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council direct staff on how to respond to the San Joaquin County Council of Government's (COG's) policy regarding the Measure K Railroad Crossing Safety Program.

BACKGROUND INFORMATION: One year ago, COG adopted a policy (Exhibit A) that calls for project sponsors of six Measure K funded rail crossing safety projects to take one of two positions: confirm the projects by adopting a financing plan or propose alternative projects. Failure to take action would likely result in projects being dropped from the Measure K program. While the policy called for a December 1, 1997 response deadline, it has been extended to spring 1997 to give project sponsors additional time to respond. The City of Lodi is a project sponsor for an underpass at Lodi Avenue and the Southern Pacific Railroad (SPRR) tracks.

### Measure K Background

The Measure K program was approved by the voters in November 1990. It funded a variety of transportation projects from a new half cent sales tax. One of the program categories was \$30 million for railroad crossing safety improvements. These improvements consisted of grade separations which would eliminate the at-grade conflict between vehicles and trains by building an overpass or underpass. Although not actually part of the Measure, a list of candidate projects was approved by COG. The list included fourteen locations, one of which was the SPRR/Lodi Avenue crossing, the only location north of the Stockton area.

However, the funding "pot" for these projects was insufficient to cover all these projects and COG developed a funding plan and ranking scheme to provide nearly \$4 million to each of the top eight ranked projects. The ranking scheme included vehicle and train volumes and speeds and delay factors. The Lodi project ranked in the top eight projects. Two of the projects (on Hammer Lane in Stockton) are now under construction. The status of the remaining six projects and the other unfunded projects is shown in Exhibit B. (Note that one location was added after the list was originally ranked.)

Lodi staff worked with Biggs Cardosa Associates, Inc., who were already working on another Measure K project that involved a rail crossing, to prepare background information on the project. The graphics, preliminary cost estimate and construction plans presented later in this report are the result of that work. Environmental review, public hearings and many project details and approvals will need to be accomplished if the project is to go forward.

APPROVED: \_\_\_\_\_

H. Dixon Flynn -- City Manager

Given the long lead time to develop a grade separation project, the COG and other project sponsors need to take positive steps to proceed on whichever projects are to be completed.

### Lodi Avenue/SPRR Issues

Positive factors in pursuing the Lodi Avenue/SPRR underpass include the following:

- Public safety - While train/vehicle accidents have been rare in Lodi, they have occurred and Lodi Avenue was the site of a fatal accident in the 1970's.
- Emergency vehicle access - The closest alternate crossings with grade separations are Turner Road and Kettleman Lane, each one mile away from Lodi Avenue. The adjacent at-grade crossings are close enough that they are usually blocked by rail traffic at the same time as the Lodi Avenue crossing. A grade separation will improve emergency vehicle access in each direction.
- Public convenience - The same alternate crossing choices for emergency vehicles also apply to the general public. Vehicle delays will increase as train frequency increases due to new passenger service and the SP/UP merger.

Negative factors in pursuing the Lodi Avenue/SPRR underpass include the following:

- Street closures and impact to adjacent businesses - As shown in the map in Exhibit C and the accompanying two pages of text, School and Stockton streets would remain open and unaffected. Five to seven businesses would have to be acquired. Some excess property could be resold for reuse after the project. Sacramento and Main streets and the north-south alley west of Sacramento Street would be closed to Lodi Avenue. These closures may have some adverse affect on other businesses in the area.
- Construction disruption - Lodi Avenue at the SP tracks would have to be closed for six months during construction. A possible construction and detour sequence (via Walnut Street) is shown in Exhibit D (two pages). As mentioned, other alternatives, probably more costly, could be designed to minimize Lodi Avenue construction closure.

Other issues include:

- Pedestrian access - While vehicle access to Lodi Avenue at Sacramento and Main streets would be closed, pedestrian access across the tracks could be maintained. This would be done by building a two-level underpass in which the sidewalk is elevated well above the roadway. It would connect to Sacramento and Main streets. With the exception of the ability to cross Lodi Avenue at these locations, pedestrian access along Lodi Avenue would be the same as now and much safer at the tracks.
- Cost - The total project cost is in the \$8 to \$9 million range. This estimate is lower than the earlier Measure K estimate of \$11.3 million. Major variables include the business and right-of-way costs, the value of "resold" land and the need to relocate the CCT tracks. The \$4 million Measure K allocation is obviously insufficient. Up to \$5 million might be available from the State grade separation program; however, more preparatory engineering and environmental work would need to be done to prepare an application. This program is very competitive and funding may not be available for many years.
- Impact on the Central City Revitalization - Potential adverse impact to businesses on the southeast quadrant of the Downtown include loss of Lodi Avenue frontage and Sacramento Street access. These are somewhat balanced by the improvement to Lodi Avenue, improved access to the east side and the architectural design of the underpass structure.

## Alternatives

As provided in the COG policy, alternate projects are possible, including:

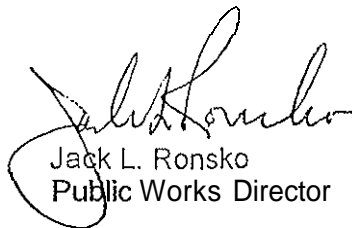
- A grade separation at another location - Likely alternate locations are Lockeford Street and Harney Lane. (A new crossing, such as Century Boulevard, would not be eligible for State or Measure K funds.) Lockeford Street would have nearly all the same issues as Lodi Avenue and similar costs. It would do less well in competition for funding but is reasonably close enough to Lodi Avenue to provide most of the benefits. Harney Lane would be less expensive; the total cost would be in the \$5 to \$6 million range. Given its location in the growth area of the City, Street Development Impact Mitigation Fee funding might be a possibility.
- At-grade improvements - This could include widening to allow vehicles that must stop at the tracks to pull over and not block traffic, a median to prevent vehicles from cutting around the crossing gates, improved crossing surface and improved gates. Obviously this would be much less expensive and an argument might be made that such improvements could be done at a number of Downtown crossings to be "equivalent" to the grade separation project.

Any alternatives will need to be approved by the COG Board after review by COG's Citizen, Management/Finance and Technical advisory committees.

## Public Meeting

A public meeting is scheduled for Thursday, March 27, at 7 p.m. in the Library's Community Room to present the above information and obtain public comments. The results of that meeting will be presented at the Council meeting.

FUNDING: None needed at this time.



Jack L. Ronsko  
Public Works Director

Prepared by Richard C. Prima, Jr., City Engineer

JLR/RCP/lm

Attachments

cc: Lodi Downtown Business Association  
Chamber of Commerce  
East Side Improvement Committee

MEASURE K RAILROAD CROSSING SAFETY PROGRAM  
REALLOCATION POLICIES

The following policies apply to:

March Lane\UPRR	(Stockton)	Lathrop Road\SPRR	(Lathrop)
March Lane\SPRR	(Stockton)	Center St.\SPRR	(Manteca)
Lodi Ave.\SPRR	(Lodi)	Lathrop Road\UPRR	(Lathrop)

The Hammer Lane\UPRR and Hammer Lane\SPRR projects are fully funded and will begin construction this year.

---

I. sponsors shall submit Project Support Documentation or a Project Alternative by December 1, 1996.

A. Project support Documentation shall consist of:

1. Financing Action Plan. A plan explaining how the sponsor intends to finance the local match displayed in the 1996 Strategic Plan and the actions needed to eliminate funding shortfalls.
2. A city council resolution reiterating local support for the existing project and approval of the strategies in the Financing Action Plan.

B. Project Alternative. A sponsor may provide an alternative to their project for COG Board consideration, including:

1. A proposal to reallocate project funds to another grade separation project within the same jurisdiction with Project Support Documentation; or
2. A proposal to "exchange" Railroad Crossing Safety funds with another jurisdiction for funds from another category (for example, congestion relief); or
3. A Financing Action Plan and City Council Resolution for a downscoped project funded with the same Measure K contribution on a percent basis. (For example, Measure K will fund 35% of Lodi's grade crossing project; Lodi could downscope their project to an at-grade safety project, with a 35% Measure K contribution).



II. Reallocation Fund. A "Reallocation Fund" will *be* created, including money from:

- A. Funds from unsupported projects.
- B. Funds that will not be used for *downscoped* projects.
- C. Funds remaining after the completion of a project.
- D. Funds left over from trades.
- E. Funds riot needed do to receipt of grants, etc.

III. Reallocation Fund Priorities. Will be determined after project sponsors have responded to the new policy requirements.

Changes in project priorities will take into consideration the merger of the Southern Pacific Railroad and Union Pacific Railroad and other relevant issues.

March 1997  
Tech., Cit.

# STAFF REPORT

SUBJECT: Measure K Railroad Crossing Safety Project Update

RECOMMENDATION: For Discussion/Action

## DISCUSSION:

COG staff would like to discuss how we can help deliver projects in the Measure K Railroad Crossing Safety Program that have fallen behind their delivery schedules due to have funding shortfalls or lost community support and what should be done with the allocation to projects that are undeliverable.

Background. The Measure K Strategic Plan provides an allocation to eight Railroad Crossing Safety Projects (overpasses or underpasses). None of the projects have been delivered to date, but two projects, the Hammer Lane WPRR and SPRR undercrossings in Stockton, **will** be constructed this summer. There are 7 unfunded "shelf" projects in the Strategic Plan (they are listed on the attached page).

**Policies.** To help sort out deliverable from undeliverable projects, the COG Board adopted policies in March 1996 requiring the sponsors of the six remaining funded projects to prepare a financing action plan and demonstrate community support for their project or propose an alternative project. The projects were called out because they hadn't made sufficient progress towards meeting their Strategic Plan delivery schedules. Many of the projects appeared stalled due to concerns over large funding shortfalls or an erosion of community support. The due date for compliance was set by the Board at December 1, 1996.

**Deliverable\Undeliverable Projects.** The projects listed below have met the Board requirements:

<u>SPONSOR</u>	<u>PROJECT</u>
Lathrop	Lathrop Road\Southern Pacific Railroad (Construct <b>5</b> lane overpass, \$6.7million)



Lathrop	Lathrop Road\Union Pacific Railroad (Construct 4 lane overpass, \$7.1 million)
Stockton	March Lane\Union Pacific Railroad (Sirlane underpass, expandable to eight, \$11.4million)
Stockton	March Lane\Southern Pacific Railroad ( <del>Sir</del> or eight lane underpass, \$11.4million)

Two project sponsors have not yet met the policy requirements.

Lodi	Lodi Avenue\Southern Pacific Railroad Crossing (Construct 4 lane underpass, \$11.4 million)
------	---

The City of Lodi will be conducting a public meeting at the end of March to determine community support. Based on the outcome of the meeting, the item will be brought before the Lodi City Council for discussion or action. Their staff has requested an extra month to comply with the policies:

Manteca	Center Street\Southern Pacific Railroad (Construct 4 lane overpass, \$3.0 million)
---------	---

Staff at the City of Manteca has indicated they cannot deliver the project due to a funding shortfall, listed in the Strategic Plan at \$1.7 million. Last year, the project was removed from the City's Capital Improvement Program. The project has a \$3.974 million Measure K allocation.

**How Should We Proceed?** What can we do to help improve the delivery of these projects and how should we proceed with regards to the allocation for an undeliverable project(s)? Should we, for instance:

- o Seek out at-grade safety projects for funding?
- o Increase the funding allocation to funded projects?.
- o Reallocate funds to an unfunded project(s)?
- o Do something else?

COG Staff would like to hear your thoughts on this subject.

FISCAL IMPACT None at this time. May eventually result in COG Board reallocation of Measure K Railroad Crossing Safety funds.

Prepared by: Steve VanDemburgh (m:\meask\rrxing\policies.sta)

UNFUNDED "SHELF" PROJECTS  
MEASURE K RAILROAD CROSSING SAFETY PROGRAM

Strategic Plan Priority	Project (Cost)	Sponsor
#9	Tracy Blvd.\SPRR (\$19 mil.)	Tracy
#10	Lower Sac.\UPRR (\$15.9 mil)	County
#11	Jack Tone Rd.\SPRR (\$21.2)" <i>*(Combinedw\Interchange Project)</i>	Ripon
#12	Airport Way\SPRR (\$5.3 million)	Manteca
#13	French Camp Rd.\UPRR (\$6.4 mil.)	County
#14	Eleventh St.\SPRR (\$12.7 mil)	Tracy
Unranked	West Lane\SPRR (\$8.5 mil)	County



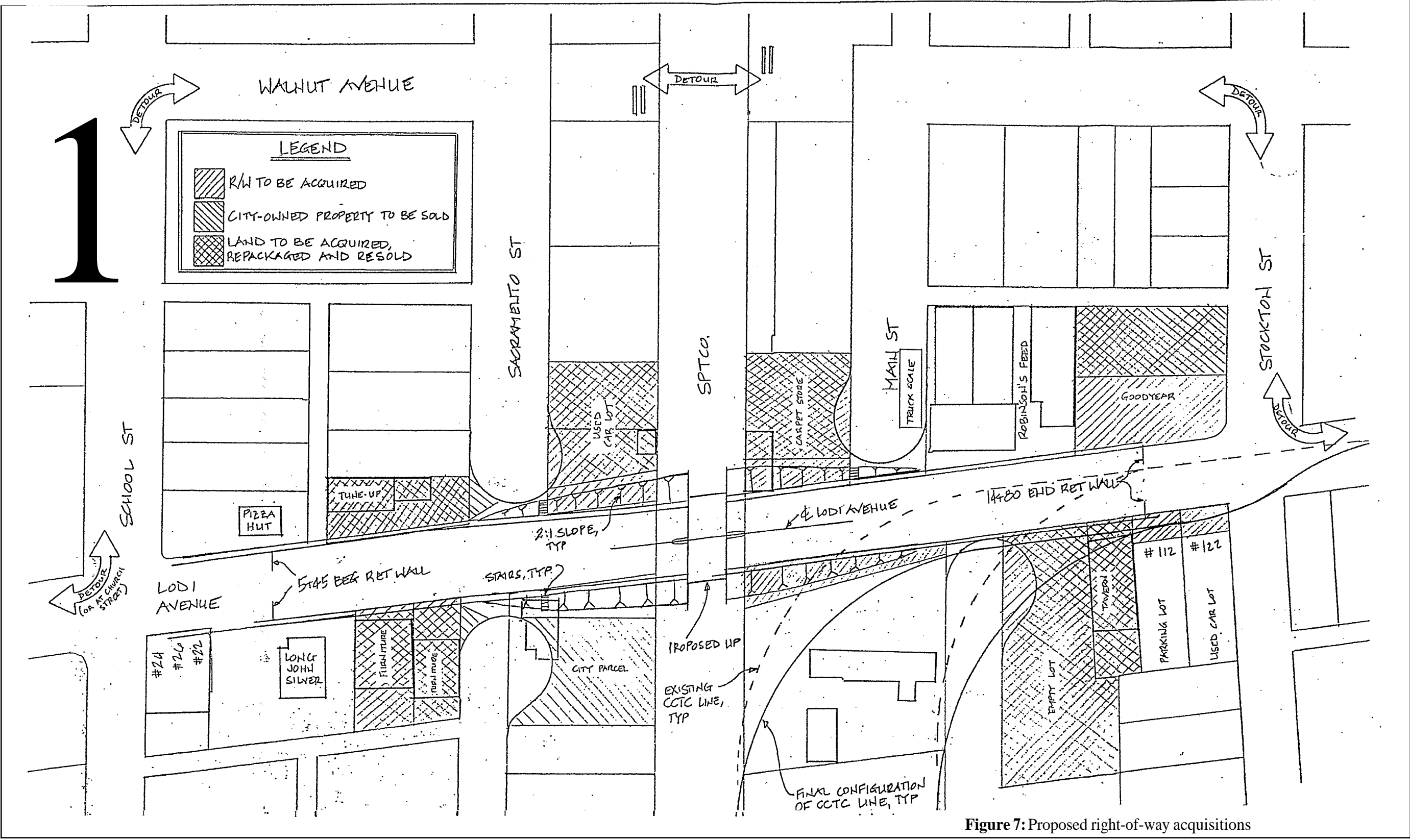


Figure 7: Proposed right-of-way acquisitions

## *RIGHT-OF-WAY REQUIREMENTS*

Figure 6 on the next page shows the current parcels and their usage for the area that will be affected by construction. Appendix B contains photographs of the area. The location from which the pictures were taken is also shown on Figure 6.

Figure 7 shows the proposed right-of-way acquisition requirements. A description on a parcel-by-parcel basis is detailed below:

- The businesses at the southeast corner of School Street and Lodi Avenue (Rydel Vacuum, Book Garden and The Comic Grapevine), will not be significantly affected.
- The Pizza Hut restaurant at the northeast corner of School Street and Lodi Avenue will not be significantly affected.
- The Long John Silver restaurant will be somewhat affected, but it is not anticipated that the business will have to be acquired. The vehicular entrance to the restaurant will have to be reconstructed to match the proposed grade for Lodi Avenue and to provide for drive-thru exit. The current drive-thru exit will have to be closed. The traffic patterns within the parking lot will have to be reworked.
- The tune-up shop next to Pizza Hut, on the north side of Lodi Avenue, will have to be acquired. The parcel could then be repackaged to have vehicular access only from the Sacramento Street cul-de-sac and resold. Pedestrian access from Lodi Avenue will be preserved.
- Danigers Furniture, which is located at #4 and #8 Lodi Avenue, will have to be acquired. The parcels could then be repackaged and resold as a single parcel with vehicular access from Sacramento Street only. Pedestrian access from Lodi Avenue will be preserved.
- The used car lot on the north side of Lodi Avenue, between Sacramento Street and the SPTCo. right-of-way will have to be acquired, repackaged to have vehicular access from Sacramento Street only, and resold. Pedestrian access from Lodi Avenue will be preserved. A portion of the parcel will be lost to the cul-de-sac and to the 2:1 slope from the depressed Lodi Avenue sidewalk.
- The structure at #2 Lodi Avenue will have to be condemned. This lot already belongs to the City of Lodi. It may be repackaged and sold as a parcel with vehicular access from Sacramento Street. Pedestrian access from Lodi Avenue will be preserved. A portion of the parcel will be lost to the cul-de-sac and to the 2:1 slope from the depressed Lodi Avenue sidewalk.



- The carpet store on the north side of Lodi Avenue, between Main Street and the SPTCo. right-of-way, will have to be acquired. The parcel could then be repackaged to have vehicular access from Main Street only and resold. Pedestrian access from Lodi Avenue will be preserved. A portion of the parcel will be lost to the cul-de-sac and to the 2:1 slope from the depressed Lodi Avenue sidewalk.
- The car wash on the south side of Lodi Avenue will be affected, but it was assumed that the business will not have to be acquired. The vehicular entrance will have to be moved to Main Street. A portion of the parcel next to Lodi Avenue will have to be acquired to accommodate the 2:1 slope to the sidewalk. If the CCTC line is to remain operational, it will have to be moved, requiring a more extensive easement.
- The empty lot on the south side, at #102 Lodi Avenue, will have to be purchased, repackaged and resold as a parcel with vehicular access from Main Street, and with pedestrian access from Lodi Avenue. An easement will be required for the proposed location of the CCTC spur line.
- The tavern on the south side of Lodi Avenue (#104) will have to be purchased. The parcel could then be repackaged to be part of the parcel at #102 Lodi Avenue and resold.
- If the CCTC line is to remain operational, the front 30 feet of the parking lot and the used car lot at the southwest corner of Lodi Avenue and Stockton Street (#112 and #122 Lodi Avenue) will have to be acquired to provide for the new location of the CCTC spur lines.
- We propose to purchase the Goodyear store at the northwest corner of Lodi Avenue and Stockton Street (#125 Lodi Avenue), subdivide it into two parcels and sell the parcel furthest from the corner. See below for the other parcel.
- The largest business to be affected by this construction is the Robinson's Feed company, at #101 Lodi Avenue. Instead of acquiring it, it may be more cost effective to purchase the Goodyear store (see above), and give half the parcel to the Robinson's Feed company as indemnification for the loss of vehicular access from Lodi Avenue to their present parcel. The Robinson's Feed company could then use this parcel to gain access to both Stockton Street and Lodi Avenue.
- The truck scale on Main Street, next to the Robinson's Feed company, will have to be relocated.

**CONSTRUCTION STAGING**

Biggs Carcosa Associates recommends that Lodi Avenue be closed during construction to keep down the project cost. Traffic can be detoured from Lodi Avenue to Walnut Avenue by way of Stockton Street and either School or Church Street. The at-grade crossing of the SPTCo. at Walnut Avenue, which has been closed, can be reopened during construction.

The construction would probably proceed along the following steps:

1. The required right-of-way will be purchased.
2. A temporary at-grade crossing of SPTCo. will be constructed at Walnut Avenue
3. Lodi Avenue traffic will be detoured to Walnut Avenue.
4. Lodi Avenue will be closed between School Street and Stockton Street, with the exception of local access to the Pizza Hut restaurant, the businesses at the southeast corner of School Street and Lodi Avenue (#22, #24 and #26 Lodi Avenue), the Long John Silver restaurant (the vehicular entrance will need to be modified sometime during construction), and the Robinson's Feed company (access through the Goodyear store parcel and/or Main Street).
5. The SPTCo. secondary line will be closed. The SPTCo. main line will be rerouted.
6. Assuming that the two CCTC spur line will need to remain operational after the construction, they will be rerouted to their final configuration. A short-term closure of these tracks may be required.
7. ~~The~~ Underpass structure will be constructed, essentially at grade.
8. The SPTCo. main line will be routed back to its original location, on the structure. The SPTCo. secondary line will be reconstructed on the structure.
9. The rail detour (shoofly) will be removed,
10. The roadway on Lodi Avenue will be excavated to its final configuration. The retaining walls will be constructed.
11. Lodi Avenue will be reconstructed. A pump station will be constructed to drain the depressed roadway section.

12. Lodi Avenue traffic will be moved back *to* Lodi Avenue. The at-grade crossing at Walnut Avenue will be closed again. The possibility of keeping an at-grade pedestrian crossing of the railroad tracks at Walnut Avenue should be investigated.
13. The roadway work will be finalized, including the construction of the four cul-de-sacs.
14. The excess properties will be repackaged and sold

In the above scenario, Lodi Avenue will probably have to be closed for about 6 months between School and Stockton Streets. However, we feel that the proposed detour by way of Walnut Avenue would provide an acceptable route during construction and not significantly impact Lodi Avenue thru traffic. Other construction staging sequences may be feasible, and a full PSR would be able to identify various construction sequences and their impacts, for example:

Lodi Avenue could be detoured around the construction area to a temporary roadway built on the newly acquired parcels.

The abutments and the center bent could be constructed at existing grade, without the need to reroute Lodi Avenue. Then, Lodi Avenue could be closed for two to three months during which precast or steel girders could be quickly erected on the abutments and bent to complete the structure. The roadway section could then be excavated. Finally, traffic would be allowed back on Lodi Avenue.

## April 2, 1997 Minutes

*Continued April 2, 1997*

15. Catherine Mellor, 1008 Laurel Avenue, Lodi, reminded the public that the ramp would be next to a cemetery which should be a quiet place. It has already experienced a lot of vandalism, and another boat ramp would just add to that.  
FILE NO. CC-6, CC-27(c) AND CC-40

### 7. RECESS

Mayor Pennino called for a ten-minute recess and the City Council meeting reconvened at approximately 8:24 p.m.

### 8. PUBLIC HEARINGS

None.

### 9. COMMUNICATIONS (CITY CLERK)

- a) The City Council, on motion of Council Member Mann. Warner second, unanimously directed the City Clerk to post for the following vacancy:

#### *information Technology Committee*

John Forberg  
FILE NO. CC-2(a)

- b) The City Council, on motion of Council Member Warner, Mann second, unanimously made the following appointments:

#### *Greater Lodi Area Youth Commission*

student appointee:  
Bobby Whitmire                      term to expire June 30, 1998

adult advisor:  
Sherrie Handel                      term to expire June 30, 1998  
FILE NO. CC-2(t)

- c) The City Council, on motion of Council Member Warner, Mann second, made the following appointment:

#### *San Joaquin County Solid Waste Management Task Force*

Council Member Keith Land  
FILE NO. CC-2(a)

### 10. REGULAR CALENDAR

- a) Following discussion regarding the Lodi/Southern Pacific Railroad (SPRR) underpass, the City Council, on motion of Mayor Pennino, Sieglock second, unanimously directed staff, with the assistance of the San Joaquin County Council of Governments (COG), to create a list of alternative projects to the Lodi Avenue underpass and return to the City Council.



## April 2, 1997 Minutes

*Continued April 2, 1997*

Speaking on the matter were the following persons:

1. Andrew Chesley, Deputy Executive Director for the San Joaquin County Council of Governments (COG), indicated he was one of the parties responsible for drafting the measure and ballot. One of the key factors was geographical equity. At the time Lodi did not have a tremendous amount of traffic problems, and there was a concern that projects be included for Lodi for balance. Therefore, the grade separation project was an important part of the plan. There are alternatives to look at other than grade separations, and the COG Board is sensitive to that; however, it would make sure that the other committed projects are funded first before looking at other options. There are other cities facing this type of problem, and the Board has high consideration in this regard;
2. Mike Lapenta, 1718 Edgewood Drive, Lodi, expressed his opinion that it would be the death of the downtown area by putting the underpass on Lodi Avenue. One alternative would be Lockeford Street, because it would cause less havoc. We are spending a lot of money downtown for this revitalization, and this would be a deterrent to what we are trying to accomplish;
3. Barbara McWilliams, 208 South School Street, Lodi, was previously opposed to the Lodi Avenue underpass and still is, even more so now with the downtown revitalization project. Downtown is the heart of Lodi. We need to keep the roads and the Multimodal station accesses open. The underpass would take away from the ambiance of the area. Look for alternative sources that could help in safety and in making the crossings better. At this point, she is not sure about using Lockeford Street;
4. Dave Rice, 10 North School Street, Lodi, echoed the comments; however, he does not feel that Lockeford Street is an option. That would just block the area at the other end. In September, 1992 Council deferred action on this item and said we would never see this issue again;
5. Richard Blackston, 518 Ribier, Lodi, agreed that the underpass would not be a viable solution for the downtown. Lockeford Street is also not a viable solution. The alternatives presented by staff are worth looking into. In his dealings with COG, he feels that if we came up with a feasible solution that would work for Lodi, COG would be supportive; and
6. Tony Segale, President, Lodi Downtown Business Association (LDBA), also expressed his opposition to an underpass on Lodi Avenue. It would not be fair to block businesses into a cul-de-sac due to the underpass after they have been assessed and are paying for the downtown revitalization. Use the money to take the tracks out of Lodi Avenue or towards the Multimodal station.  
FILE NO. CC-6, CC-7(h) AND CC-45(f)

### 11. ORDINANCES

- a) Ordinance No. 1643 entitled, "An Ordinance of the City Council of the City of Lodi Amending Chapter 3.20 of the Lodi Municipal Code by Adding Thereto Section 3.20.130 Relating to Vehicle Purchases and Disposition Exemption" having been introduced at a regular meeting of the Lodi City Council held March 19, 1997 was brought up for passage on motion of Council Member Mann. Warner second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:



# CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: Lodi Central City Railroad Safety Improvement Project (Alternative to Lodi Avenue Grade Separation)

MEETING DATE: June 4, 1997

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council authorize staff to proceed with planning the Lodi Central City Railroad Safety Improvement Project.

BACKGROUND INFORMATION: The San Joaquin County Transportation Sales Tax, Measure K, includes a category for railroad safety improvements which presently consists of grade separations. Lodi's only project in this category was Lodi Avenue at the Southern Pacific tracks

in Downtown. At its April 2, 1997 meeting, the Council determined not to proceed with this project due to its impacts on Downtown and high cost. (Less than half of the project cost would be covered by the \$3.9 million Measure K allocation.) Staff was directed to work on finding another project that would retain this funding for Lodi. If no alternative is found, the funds will be used elsewhere in the County.

Staff has prepared a comprehensive project which we feel meets the spirit of the Measure K ordinance and will be looked upon in favor by the majority of Lodi residents. The core of the project is the removal of the Central California Traction Company tracks in Lodi Avenue and Main Street and replacement of that rail service on the Southern Pacific Kentucky House Branch which runs parallel to Lockeford Street. Details of the project, a preliminary budget and a project map are attached.

To implement the project, we need to:

- submit the project to the San Joaquin County Council of Governments and obtain their approval, which will entail amendments to the Measure K expenditure and strategic plans
- negotiate project details and cost sharing with the railroads
- perform environmental review
- determine project phasing
- do preliminary design work

FUNDING: None needed at this time.

  
Jack L. Ronsko  
Public Works Director

Prepared by Richard C. Prima, Jr., City Engineer  
JLR/RCP/lm

## **Lodi Central City Railroad Safety Improvement Project**

**Project Objective:** To improve vehicle, bicycle and pedestrian safety and convenience where these travel modes interact with railroad tracks while maintaining railroad service to existing and future businesses.

**Project Description:** The project consists of the removal of Central California Traction Company tracks presently located within streets, improving those streets, providing rail service along the unused Union Pacific (formerly Southern Pacific) Kentucky House Branch, and making various improvements to the Branch and adjacent streets (see project map).

**Project Specifics:** The project will:

- remove a mile of railroad tracks that presently run parallel with traffic within Lodi Avenue and Main Street;
- eliminate fifteen locations where railroad tracks cross travel lanes at a skewed angle or street intersections;
- repave the streets and install lighting, drainage, curb, gutter and sidewalk where the tracks are removed;
- install rubberized rail crossing surfaces at fifteen street crossings;
- install a protected pedestrian crossing of the Kentucky House Branch between Calaveras Street and Central Avenue;
- install frontage improvements - fencing, curb, gutter, sidewalk and lighting along unimproved railroad frontage; and,
- improve Lockeford Street along the Kentucky House Branch,

**Project Budget:** **\$6,115,000**

**Project Funding:** **Measure K**  
City of **Lodi**  
Union Pacific Railroad

## **Lodi Central City Railroad Safety Improvement Project**

### **Preliminary Budget Summary**

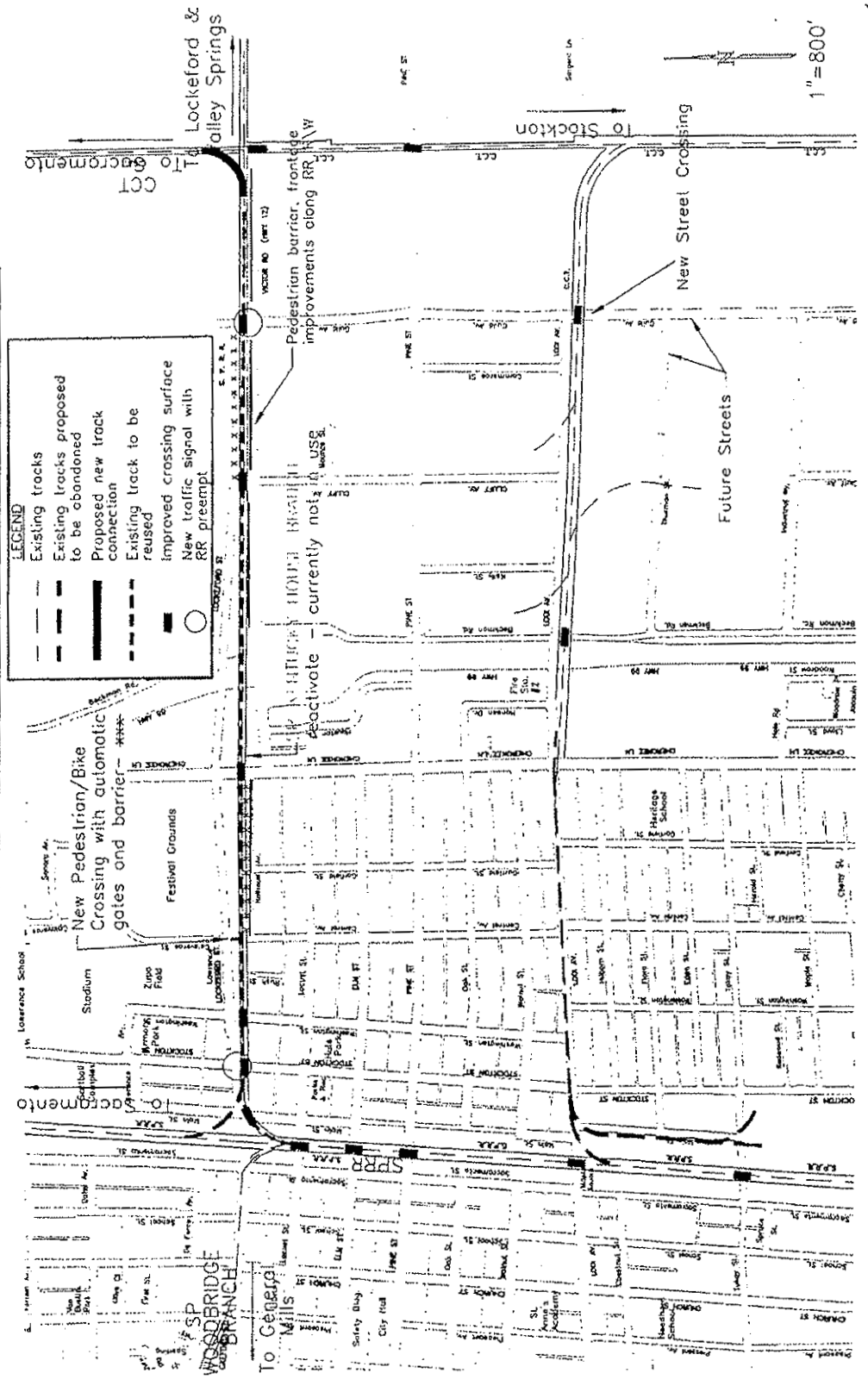
<b>Lodi Avenue/Main Street</b>	<b>\$</b>	<b>1,283,000</b>
<b>Kentucky House Branch incl. Frontage</b>	<b>\$</b>	<b>1,573,000</b>
<b>Rail Crossing Surfaces at Streets</b>	<b>\$</b>	<b>1,092,000</b>
<b>Lockeford Street</b>	<b>\$</b>	<b>2,167,000</b>
<b>Total:</b>	<b>\$</b>	<b>6,115,000</b>

### **Project Funding**

<b>Measure K</b>	<b>\$</b>	<b>3,970,000</b>	<b>Rail and Street Work</b>
<b>Union Pacific Railroad</b>	<b>\$</b>	<b>438,000</b>	<b>Track Connection</b>
<b>City of Lodi</b>	<b>\$</b>	<b>1,707,000</b>	<b>Balance of Project</b>



# LODI CENTRAL CITY RAILROAD SAFETY IMPROVEMENT PROJECT



CITY COUNCIL

PHILLIP A. PENNINO, Mayor  
JACK A. SIECLOCK  
Mayor Pro Tempore  
KEITH LAND  
STEPHEN J. MANN  
DAVID P. WARNER

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333.6706  
FAX (209) 333-6710

H. DIXON FLYNN  
City Manager  
JENNIFER M. PERRIN  
City Clerk  
RANDALL A. HAYS  
City Attorney

May 30, 1997

MAILING LIST ATTACHED

SUBJECT: Lodi Central City Railroad Safety Improvement Project  
(Alternative to Lodi Avenue Grade Separation)

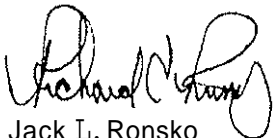
Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, June 4, 1997, at 7 p.m. The meeting will be held in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the regular calendar for Council discussion. You are welcome to attend.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to the City Clerk at 221 West Pine Street,

If you wish to address the Council at the Council meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Jennifer Perrin, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Richard Prima, City Engineer, at (209) 333-6706.



Jack L. Ronsko  
Public Works Director

JLR/im

Enclosure

cc: City Clerk ✓

SENATOR PATRICK JOHNSTON  
31 E CHANNEL STE D  
STOCKTON CA 95202

SAN JOAQUIN COUNTY  
COUNCIL OF GOVERNMENTS  
6 S EL DORADO ST STE 400  
STOCKTON CA 95202

MR RICHARD BLACKSTON  
SJCOG CITIZEN'S ADVISORY  
COMMITTEE LODI REP  
c/o 518 RIBIER AVE  
LODI CA 95240

MR MIKE ONGERTH  
UNION PACIFIC RAILROAD  
1416 DODGE ST  
OMAHA NB 68179

CENTRAL CALIF TRACTION CO  
1645 CHEROKEE RD  
STOCKTON CA 95205

CALTRANS  
PLANNING DIVISION  
P O BOX 2048  
STOCKTON CA 95201

CHAMBER OF COMMERCE  
P O BOX 386  
LODI CA 95241

MR MIKE LAPENTA PRES  
LODI DOWNTOWN BUSINESS ASSN  
12 N SCHOOL ST  
LODI CA 95240

MR JIM SCHWEICKARDT  
PACIFIC COAST PRODUCERS  
631 N CLUFF AVE  
LODI CA 95242

MR JOE TACK  
SWEETENER PRODUCTS  
P O BOX 2757  
LODI CA 95241

MR ERIC KUHNASH  
ARKAY INDUSTRIES INC  
228 BYERS RD STE 2000  
MIAMISBURG OH 45342

...

Council Member Warner indicated that he doesn't know if the City should be in a baby-sitting program. He stated his concern for dollars that had been spent on the Boys and Girls Club. Council Member Warner stated that this is a day care program and he doesn't feel that it is a recreation program. He stated that he feels that it is an excellent program; however, he doesn't think that he should be obligated to subsidize day care and finally indicated his preference for Option 3.

Council Member Land indicated that he feels that it is his responsibility to support youth programs and feels that this program is a great program. He feels that we must maintain and build this program and that it is programs like this that make Lodi a special place to live. Council Member Land indicated that consideration should be given to put it back under the directions of the Parks and Recreation Department. He stated that if there is a problem with staff, it's the Council's fault, because it gives direction to staff. He stated that he never mentioned that he wanted to cancel the program, if anything, it should be expanded.

Mayor Pro Tempore Sieglock feels that the Boy's and Girl's Club is a great program and stated that he felt some of its successes were pointed out this evening. He agrees that younger kids should not be mixed with elder children. He stated that he feels this program is a bargain and a terrific benefit.

Mayor Pennino stated that he would like to see the City out of this program and that he feels that the churches in the area should be doing this. The Mayor indicated that he had met with several Pastors in the community and they are interested. He indicated that they should receive 100% funding and believes that there would be a waiting list.

City Manager Dixon Flynn stated that this evening's comments have not gone unnoticed and that he feels that the program should be adequate and meet the needs of the children. He further stated that he is concerned about the waiting list and feels that the City needs to do what it can to meet those needs.

Council Member Mann asked that the City Manager look into the reasons for a waiting list and stated that he doesn't feel that there should be a waiting list. Council Member Mann stated that he feels that the program should be expanded to meet the needs.  
FILE NO. CC-40

**Recess:**

Mayor Pennino declared a 10 minute recess, and the City Council reconvened at approximately 9:25 p.m.

b) The City Council, following review of the matter, on motion of Council Member Mann, Warner-second, authorized staff to proceed with planning the Lodi Central City Railroad Safety Improvement Project.

City Engineer Richard Prima introduced the matter advising the City Council that the San Joaquin County Transportation Sales Tax Measure K, includes a category for railroad safety improvements which consists of grade separations. Lodi's only project in this category was Lodi Avenue at the Southern Pacific tracks in Downtown. At its April 2, 1997 meeting, The City Council determined not to proceed with this project due to its impacts on downtown and high cost. (Less than half of the project cost would be covered by the \$3.9 million Measure K allocation.) Staff was directed to work on finding another project that would retain this funding for Lodi. If no alternative is found, the funds will be used elsewhere in the County.

Staff has prepared a comprehensive project which they feel meets the spirit of the Measure K ordinance and will be looked upon in favor by the majority of Lodi residents. The core of the project is the removal of The Central California Traction Company tracks in Lodi Avenue and Main Street and replacement of that rail service on the Southern Pacific Kentucky House Branch which runs parallel to Lockeford Street. To implement the project, the City needs to do the following:



## June 4, 1997 Minutes

1. submit the project to the San Joaquin County Council of Governments and obtain their approval, which will entail amendments to the Measure K expenditure and strategic plans
2. negotiate project details and cost sharing with the railroads
3. perform environmental review
4. determine project phasing
5. do preliminary design work

Mr. Prima then presented the following additional information regarding the matter:

Project Objective: To improve vehicle, bicycle and pedestrian safety and convenience where these travel modes interact with railroad tracks *while* maintaining railroad service to existing and future businesses.

Project Description: The project consists of the removal of Central California Traction Company tracks presently located within streets improving those streets, providing rail service along the unused Union Pacific (formerly Southern Pacific) Kentucky House Branch, and making various improvements to the Branch and adjacent streets.

Project Specifics: The project will:

1. remove a mile of railroad tracks that presently run parallel with traffic within Lodi Avenue and Main Street
2. eliminate fifteen locations where railroad tracks cross travel lanes at a skewed angle or street intersections
3. repave the streets and install lighting, drainage, curb, gutter, and sidewalk where the tracks are removed
4. install rubberized rail crossing surfaces at fifteen street crossings
5. install a protected pedestrian crossing of the Kentucky House Branch between Calaveras Street and Central Avenue
6. install frontage improvements ~ fencing, curb, gutter, sidewalk and lighting along unimproved railroad frontage; and
7. improve Lockeford Street along the Kentucky House Branch,

Project Budget: **\$6,115,000**

Project Funding: Measure K  
City of Lodi  
Union Pacific Railroad

Various diagrams and a Preliminary Budget Summary were presented by the Mr. Prima for Council's perusal.

Discussion followed with questions being directed to Mr. Prima

## June 4, 1997 Minutes

Mr. Richard Blackson, San Joaquin County Council of Governments (COG) Citizens Advisory Committee addressed the City Council indicating that he supported the proposal.

Mrs. Tracy Jenkins, 730 Calaveras Street, Lodi addressed the City Council stating the area of Stockton Street and Lockeford Street is very dangerous.

Several Council Members indicated that the staff did an outstanding job in formulating this proposed project and asked how the City would come up with the match. Mr. Prima indicated that the City has about three years to come up with the dollars and suggested several scenarios.

Council Member Mann asked if there was a time frame that this must be done, and Mr. Prima indicated that the City would have some latitude.

Mayor Pennino recommended that the money be used as soon as possible as he would like to see these funds tied up.

FILE NO. CC-7 (n)

### 10. ORDINANCES

- a) Ordinance No. 1648 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Title 17 - Zoning, Chapter 17.57, Thereby Adding Sections 17.57.170, 17.57.180 and 17.57.190 Relating to General Regulations and Exceptions" having been introduced at a regular meeting of the Lodi City Council held May 21, 1997 was brought up for passage on motion of Council Member Mann, Warner second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Land, Mann, Sieglock, Warner, and Pennino (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Prior to adopting Ordinance No. 1648, Tracy Jenkins, 730 Calaveras Street, Lodi addressed the Council stating that she feels this ordinance violates their constitutional rights and that its implementation would affect them seriously financially. She stated that they would need to purchase another vehicle. Further, Mrs. Jenkins stated that one reason they opted to purchase their home was so that they could park their big rig there. She indicated that she understands that there had been 12 complaints regarding situations of this kind in the last year and that she doesn't feel that number should merit the passage of this ordinance. She stated that she doesn't feel this is an appearance issue.

Mayor Pro Tempore Sieglock asked Mrs. Jenkins if she uses the rig to go to the grocery store, and she responded that it is just used for commercial purposes.

Council Member Mann stated his concern about the Jenkins family suffering a financial loss. He stated that he feels that the adoption of the ordinance is the right thing to do and that the vast majority would vote to enforce it. He further stated that most people don't like that type of vehicle parked in their neighborhoods. Council Member Mann stated that he has been assured that if the ordinance is passed that it will be enforced on a complaint basis only and that he hoped this would remedy the situation. Further, he suggested that the Jenkins contact their neighbors to try to work it out.

Community Development Director Konradt Eartlam stated that he has spoken with Mrs. Jenkins and will try to work with her to resolve the matter.

Following an inquiry by Mayor Pro Tempore Sieglock, Mr. Eartlam indicated that at the last City Council meeting when the ordinance was introduced, he was given direction by the Council not to implement the ordinance for one year.

FILE NO. CC-53 (a)

**LODI PLANNING COMMISSION  
REGULAR COMMISSION MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, MAY 27, 2009**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of May 27, 2009, was called to order by Chair Kiser at 7:00 p.m.

Present: Planning Commissioners– Cummins, Heinitz, Hennecke, Kirsten, Mattheis, Olson, and Chair Kiser

Absent: Planning Commissioners– None

Also Present: Community Development Director Konradt Bartlam, Deputy City Attorney Janice Magdich, Assistant Planner Immanuel Bereket, and Administrative Secretary Kari Chadwick

2. MINUTES

“March 25, 2009

MOTION/VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Cummins second, approved the Minutes of March 25, 2009 as written. (Mattheis abstained because he was not in attendance of the subject meeting)

“April 8, 2009

MOTION/VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Heinitz second, approved the Minutes of April 8, 2009 as written. (Mattheis abstained because he was not in attendance of the subject meeting)

“April 22, 2009

MOTION/VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Mattheis second, approved the Minutes of April 22, 2009 as written. (Cummins, Heinitz, and Hennecke abstained because they were not in attendance of the subject meeting)

3. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Kiser called for the public hearing to consider the request to amend a previously approved Use Permit 07-U-01 to increase the number of tables, expand the hours of operation and increase the number of legal cardroom games at 1800 S. Cherokee Lane. (Applicant: Chris Ray, on behalf of Wine Country Cardroom & Restaurant. File Number: 07-U-01.)

Assistant Planner Bereket gave a brief PowerPoint presentation based on the staff report.

Commissioner Heinitz disclosed that he met with the applicant and eats lunch in the restaurant about once a week, but has never gambled there.

Commissioner Kirsten disclosed that he met with the applicant regarding the project.

Commissioner Hennecke asked about the last condition requiring the parking to be complete within 120 days of approval. Mr. Bartlam stated that in this situation the establishment is open and operating legally already. What has occurred is there isn't enough parking to accommodate the current patrons and the City has chosen the 120 days because of the Cherokee Lane improvements as well as the parking improvements that will be necessary.

Vice Chair Cummins asked how many parking spaces are currently on site. Assistant Planner Bereket stated that there are 84 parking spaces. Commissioner Cummins stated that the applicant is trying to increase the parking by 60 stalls (40%). Director Bartlam stated that the original Use Permit based the parking on the restaurant occupancy and it has been discovered that that amount is inadequate. Cummins asked why a traffic study wasn't done. Director Bartlam stated that in this case it is a hindsight situation. The upgrades to the parking are being based on the current traffic flow not the anticipated traffic with the three new tables. Cummins asked if City Council has approved parts of this project. Bartlam stated that the City Council has approved the amendment to the Ordinance not the Use Permit.

Commissioner Mattheis asked why staff isn't tying the completion of the parking with the approval of the expansion. Director Bartlam stated that that is an option, but staff looked at it from a standpoint that there is already a deficiency. Mattheis stated that he has a problem with the displacement of the vehicles that are currently parking in the unfinished areas for whatever amount of time, 120 days according to the resolution, the upgrades take. He then asked if the parking surveillance will include the expanded area. Bartlam stated that it already does.

Commissioner Heinitz asked what the City's Development Standard is for the parking lot. Director Bartlam stated that there are a variety of standards such as; an impervious surface, curb, gutter, sidewalks, lighting standards, etc.

Commissioner Mattheis asked about the storm water pretreatment. Director Bartlam stated that that is one of the Public Works requirements.

Chair Kiser asked if there will be any purple pipe. Director Bartlam stated that purple pipe is not a requirement at this time.

Commissioner Hennecke asked who owns the property to the south of the proposed project. Director Bartlam stated that neither the applicant nor owner of the property where the business is located own the parcel in question.

#### Hearing Opened to the Public

- Stephen Snider, spokesperson for applicant, came forward to address the Commission. He asked that the City work with the applicant in the timing of the improvements. He stated that the 120 days is going to be an ambitious undertaking. Mr. Snider stated that this establishment has proven itself to be a good neighbor and last year this project was brought before the Commission as an informational item with a positive update on what started out to be a controversial project.
- Chair Kiser asked if there will be an increase in the security. Mr. Snider stated that there is one security guard for every 100 guests and that will increase as needed.
- Commissioner Heinitz asked about the tax revenue to the City from this establishment. Mr. Snider stated that as of a couple of months ago it was at \$180,000. Heinitz asked about the job revenue. Mr. Snider stated that there are currently 60 employees and with three new tables it may increase by another 9 employees. Heinitz asked about the pay rate. Mr. Snider stated that the pay for the dealers is very good especially with tips.



- Commissioner Mattheis asked where the patrons will be parking while the construction is taking place. Mr. Snider stated that it will have to be done in phases with overflow parking on Cherokee. Mattheis asked how much of a burden would it be if this was not approved until the parking was completed. Mr. Snider stated that it would be a huge burden. Mattheis asked how many parking spaces are on Cherokee. Snider stated he was not sure.
- Commissioner Olson asked why the expanded hours are necessary for this type of business. Mr. Snider stated that at two in the morning they have to kick customers out. At eight in the morning you will get the night shift people that want to come in and wind down before going home and the restaurant will serve breakfast, so the establishment will not just be open for gambling only. Commissioner Olson stated that she is uncomfortable with the expanded hours. She asked if there is any evidence from other cities that shows that the extended hours are financially beneficial. Mr. Snider stated that they have not done that analysis, but are basing the need from their own customer base.
- Chair Kiser asked if the applicant plans to come back and ask to stay open **24** hours. Mr. Snider stated that there isn't any plan to do that.
- Commissioner Kirsten stated that he has spoken with members of the Police Department and they are quite impressed with the lack of problems from this establishment. Kirsten also added that he is impressed with the tract record, revenues, and jobs that are associated with this project.
- Commissioner Hennecke stated his concern over the parking and doesn't feel comfortable with the parking on Cherokee Lane. Mr. Snider stated that it is not the intention of the business to endanger any of the patrons. Hennecke asked if the condition of requiring the upgrades to be complete before the expansion is approved was placed on this project would that kill the project. Mr. Snider stated that he would have to have the financing agent take a look at that.
- Chair Kiser asked if it would be feasible for the applicant if there was a condition placed on the project that 1/3 of the parking needed to be complete before approval. Mr. Snider stated that he wasn't sure.
- Vice Chair Cummins stated that the business has done very well just playing Texas Hold'em and asked what new games are going to be played. Mr. Snider stated that the games that will be added will be three card poker and black jack. Cummins asked how this establishment is going to protect the customer from the seedier side of gambling like what has been experienced in Stockton at the Cameo Club. Mr. Snider stated that the Gaming Commission is very strict and if this establishment wants to keep its license it will continue to be proactive in keeping that element out of the area.
- Commissioner Olson stated that she would like to support the project, but would like to have a better compromise in the timing of the parking completion. Mr. Snider stated that the applicant will be working with the Planning Department.
- Chair Kiser asked how long it will take to convert the inside over for play. Mr. Snider stated that it will take some time because of the ordering of the materials and the permitting process.
- Commissioner Kirsten stated that he visited the site on a Thursday after lunch and asked if that was a peak time. Mr. Snider stated that there really is no way of knowing what the peak day and time is. Kirsten stated that during his visit it was pointed out that the overflow parking was being used by the employees. Mr. Snider stated that he is sure something can be done to alleviate the impact of the overflow parking issue while the construction is going on.
- Commissioner Mattheis suggested some alternative language be placed in the resolution regarding the parking once the hearing is closed to the public.

- Commissioner Hennecke agreed with Commissioner Mattheis and asked if there are any alternative off street parking areas that have been considered while the upgrades are being done in particular the property to the south of the proposed expansion. Mr. Snider stated that that property is owned by the same person that owns Lodi Honda and they have been very pleased with the Cardroom as a neighbor and he is sure something could be worked out.
- Ken Owens, founder of Christian Community Concerns, came forward to oppose the project. The three issues that he would like to address are: Gambling, the effects on Lodi, and the effect on the neighborhood in the immediate area. Mr. Owen stated some of the negatives related to gambling and read from the documents that were given to the Commission before the meeting tonight (attachment A of these minutes). He stated that this establishment has not been in business long enough to show the negative effects of gambling. The traffic and parking congestion is a major issue and will only get worse. Mr. Owen stated that the increase in the games and operational hours will continue to disrupt that neighborhood. The 9% of the revenue that this establishment is giving is over and above the amount that other businesses give which could lead to corruption. It has been said many times at Council meetings by one of the partners of this establishment that the City is its best partner.
- Commissioner Kirsten stated his appreciation for the added material from Mr. Owens and that the Commission is being asked to make judgment on the Land Use issues of the project not the moral issues

Chair Kiser called for a brief recess.

Chair Kiser called the meeting back to order

Public Portion of Hearing Closed

- Commissioner Heinitz stated his support for the project and agrees with Commissioner Mattheis in adding verbiage requiring the applicant to submit a parking plan for approval to the Community Development Director.
- Commissioner Mattheis stated his support for the project and suggested that the applicant submit a parking plan to the Community Development Director for approval and that some kind of verbiage should be added to the resolution to that affect.
- Vice Chair Cummins stated his disagreement with finding number three in the resolution and based on that finding can not support the project.
- Chair Kiser stated his support for the project

MOTION/ VOTE:

The Planning Commission, on motion of Commissioner Heinitz, Mattheis second, approved the request of to amend a previously approved Use Permit 07-U-01 to increase the number of tables, expand the hours of operation and increase the number of legal cardroom games at 1800 S. Cherokee Lane subject to the conditions in the resolution with the added verbiage below:

Director Bartlam added to Condition #18: "in the interim and during the construction period the applicant shall submit a parking plan to the Community Development Department outlining the actions that will be taken to satisfy the parking demand during that time."

The motioned carried by the following vote:

Ayes: Commissioners– Heinitz, Hennecke, Kirsten, Olson, Mattheis, and Chair Kiser  
Noes: Commissioners– Cummins

*Continued*

**4. PLANNING MATTERS/FOLLOW-UP ITEMS**

- a) Construction of Alternative to Measure K Railroad Grade Separation Project.

Director Bartlam gave a brief report based on the memorandum in the packet.

Chair Kiser asked if this would be a part of the General Plan. Mr. Bartlam stated that it has been and will continue to be a part of the General Plan.

Commissioner Heinitz asked if there would need to be any disturbance to the residential homes on the northwest corner of this area. Mr. Bartlam stated that there would not be a need to disturb any of the homes in that subdivision because of the forethought of getting the right-of-way at the time that this subdivision was created. The only land disturbance that will be necessary will be to the south and the property owners are well aware of this need.

Commissioner Mattheis stated his support for the recommendation.

Commissioner Kirsten stated his support for the recommendation.

Hearina Opened to the Public

- None

Public Portion of Hearina Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Mattheis, Heinitz second, approved the recommendation to the City Council supporting the replacement of Measure K funding for the Harney Lane Grade Separation Project. The motion carried by the following vote:

Ayes: Commissioners – Cummins, Heinitz, Hennecke, Kirsten, Olson, Mattheis, and Chair Kiser

Noes: Commissioners – None

**5. ANNOUNCEMENTS AND CORRESPONDENCE**

Vice Chair Cummins stated that the Planners Institute will be in Monterey in March 2010

**6. ACTIONS OF THE CITY COUNCIL**

Director Bartlam stated that he was available to answer any questions regarding the summary memo in the packet. He went through a few of the highlights from the budget and how the reductions affect the Community Development Department and the Planning Commission.

**7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE**

Director Bartlam stated that the policy documents are going through the administrative process and will come to the Planning Commission as the pieces become available.

**8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE**

None

**9. ART IN PUBLIC PLACES**

Kirsten gave a brief report regarding the meeting that took place today.

**10. COMMENTS BY THE PUBLIC**

None

*Continued*

11. COMMENTS BY STAFF AND COMMISSIONERS

None

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 9:03 p.m.

ATTEST:

Konradt Bartlam  
Planning Commission Secretary

# WHO we are

Formed in 1994, the National Coalition AGAINST Legalized Gambling (NCALC) is a nationwide educational group. It informs citizens about the detrimental effects of legalized gambling on the economic, political, social and physical well being of individuals, the community and the nation. Because NCALG is an educational non-profit 501(c)(3) organization, contributions to NCALC are tax deductible.

NATIONAL COALITION  
**ncalg**  
AGAINST LEGALIZED GAMBLING

The National Coalition AGAINST Gambling Expansion is the political action arm of NCALC. The two organizations share the same boards of directors and officers. NCAGE works at the national level and assists grass roots organizations to defeat the expansion of legalized gambling and to roll back legalized gambling.

Because it is a 501(c)(4) non-profit political action committee, contributions to NCAGE are NOT tax deductible. They are helpful, however, because they may be used to influence specific legislation and to encourage citizens to take action to influence voters and legislators.

THE NATIONAL COALITION  
**NCAGE**  
AGAINST GAMBLING EXPANSION

## Isn't this a moral issue?

Over time, activities that damage a society, its culture, its economy, its families and its ability to survive come to be considered "immoral." It's a bit of a chicken and egg debate. Are activities bad because they're immoral or are they immoral because they are bad? Consider this:

### Gambling

- ▶ Causes addiction
- ▶ increases bankruptcy
- ▶ increases crime
- ▶ Increases suicides
- ▶ Contributes to divorce
- ▶ Damages the economy
- ▶ Cannibalizes jobs
- ▶ Corrupts politics
- ▶ Stimulates illegal gambling

### It's a free country isn't it?

important Constitutional duties of state and national government include protecting citizens from dangerous products, health risks, ponzi schemes, false advertising, bait and switch tactics and crime. Gambling fits all of those descriptions and worse. America criminalized gambling twice before in its history. The nation shouldn't have to learn the same lesson three times.

This brochure may be reproduced without written permission only in its entirety and without changes for free distribution by grass roots community organizations. You may download the printable file from [www.ncalg.org](http://www.ncalg.org). Look for the "Resources" area. You may also order printed copies. Call 800-664-2680 or visit the web site.

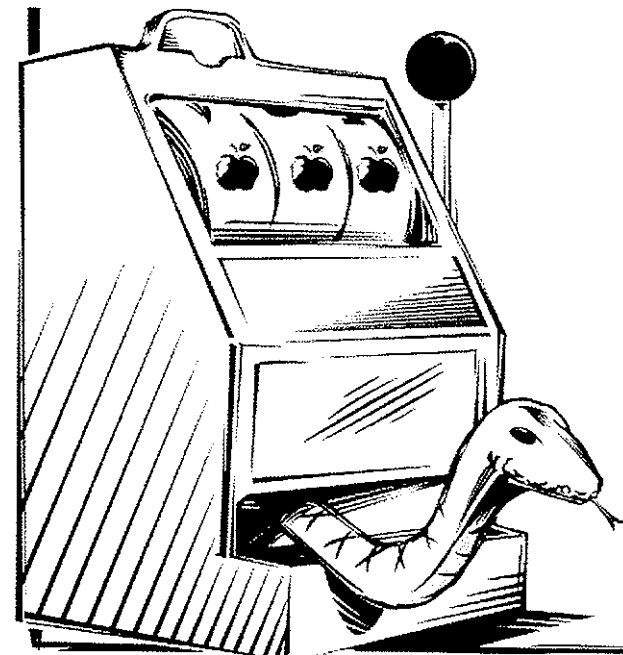
NATIONAL COALITION AGAINST LEGALIZED GAMBLING  
100 Maryland Avenue NE  
Room 311  
Washington, DC, 20002  
[www.ncalg.org](http://www.ncalg.org)  
800-664-2680

Brochure Rev. 8/20/04 by Carl Bechtold. Contact [carl@spiritmountain.net](mailto:carl@spiritmountain.net) with comments

Attachment A

# Legalized Gambling

THE INSIDE STORY



ARTWORK COURTESY KIP AOKI, HONOLULU STAR-BULLETIN

Facts every citizen  
should know before  
gambling comes  
to YOUR town

# WHY we care

## Gambling brings addiction

When gambling appears in a community, it brings a wave of addiction. In a mature gambling market, compulsive gambling typically seizes the lives of 1.5% to 2.5% of the adult population. That amounts to three to five times the number of people suffering from cancer.

**"Gambling is an addictive behavior, make no mistake about it... Gambling has all the properties of a psychoactive substance, and again, the reason is that it changes the neurochemistry of the brain."**

The American Psychiatric Association says between 1% and 3% of the U.S. population is addicted to gambling, depending on location and demographics.<sup>2</sup> Youth have even higher addiction rates, between 4 and 8%.<sup>3</sup>

## Proximity and poverty matter

Addiction rates double within 50 miles of a casino: Probable pathological gambling in Nevada in 2000 measured 3.5%. Other states ranged from 2.1% in North Dakota in 2000 to 4.9% in Mississippi in 1996.<sup>5</sup> A casino within 10 miles of a home yields a 90% increased risk of its occupants becoming pathological or problem gamblers. Neighborhood disadvantage increases that risk another 69%.<sup>5</sup> Slots and other gambling machines push susceptible players to the pathological level in an average of 1.08 years, vs. 3.55 years with more "conventional" forms of table and racetrack gambling?

## Gambling doubles bankruptcy.

It takes three to five years for gamblers in a newly opened market to exhaust their resources. When addiction ripens in the market, so do the social costs. The most recent study of all the casino counties in the nation confirmed personal bankruptcy rates are 100% higher in counties with casinos than in counties without casinos?

## Expect Suicides.

A study of addicted gamblers revealed, "Between 20% and 30% of the respondents made actual suicide attempts. No other addictive population has had as high a prevalence for attempts." Nevada has been the highest in the nation for suicides for 10 of the last 12 years.<sup>10</sup>

## Gambling increases crime

Desperate to "chase- and recover gambling losses, pathological gamblers often turn to crime. Fraud and embezzlement become common among formerly hard-working and highly trusted people. Violent crimes also increase. Three years after the introduction of casinos in Atlantic City, there was a tripling of total crimes. Per capita crime there jumped from 50th in the nation to first! Comparing crime rates for murder, rape, robbery, aggravated assault, burglary and motor vehicle theft reveals Nevada is the most dangerous place to live in the United States?

## Real costs for everyone

Gambling costs more than raising taxes, even for those who NEVER gamble! Each compulsive gambler costs the economy between \$14,006 and \$22,077 per year. If 2% become addicted, that's \$280 to \$440 per year paid by every other citizen!

## Trading jobs kills development

Most casinos attract 80% or more of their market from a 35-50 mile radius. Casinos absorb existing entertainment, restaurant and hotel business, and deplete dollars available to other retail businesses. That destroys other jobs in the trade area and eliminates their sales, employment and property tax contributions.<sup>14</sup>

## Illegal gambling remains

Legalizing gambling does not reduce illegal gambling. Legalized gambling may even increase illegal gambling because untaxed illegal operators may offer better odds, bigger payoffs and loans that legal operations cannot. Patrons in gambling states feel gambling is generally legal and they are less averse to gambling in unlicensed establishments. Law enforcement in gambling states see illegal gambling as a state revenue issue rather than a criminal activity, and may be less motivated to investigate.

**FOOTNOTES:** (For more complete information and citations, visit [www.ncalg.org](http://www.ncalg.org))  
<sup>1</sup> Shafer, Howard. Harvard University admissions report. *Journal of Gambling Studies* 22, p. 17-6.  
<sup>2</sup> American Psychiatric Association. DSM-IV, p. 673.  
<sup>3</sup> Shafer, H. J. & Hall, M. N. (1996). Estimating prevalence of adolescent gambling disorders: A quantitative synthesis and guide toward standard gambling nomenclature. *Journal of Gambling Studies* 12, p. 1-2.  
<sup>4</sup> National Gambling Impact Study Commission. "Final Report" Sec. 4, p. 5.  
<sup>5</sup> Valberg, Rachel A., Ph.D. "Gambling and Problem Gambling in Nevada: Report to the Nev. Dept. of Human Resources." p. 11.  
<sup>6</sup> Walker, John W., Wisczorek, William F., Barnes, Grace M., Hoffman, Joseph H. Referenced in "The Relationship of Ecological and Geographic Factors to Gambling Behavior and Pathology" p. 15.  
<sup>7</sup> Breen, Robert B. and Zimmerman, Mark. "Rapid Onset of Pathological Gambling in Machine Gamblers" p. 2.  
<sup>8</sup> Gross, Emil and Morse, Edward. "The Impact of Casino Gambling on Bankruptcy Rates: A County Level Analysis" p. 1.  
<sup>9</sup> Scherer, R. Keith, Thompson, William H., Nakamura, Daryl. "Beyond the Limits of Recreation: Social Costs of Gambling in Southern Nevada" p. 4.  
<sup>10</sup> <http://www.suicidesolutions.com/>  
<sup>11</sup> Widgery, Robin. President of Social Systems. "Warning: Legal Gambling is a Costly Game" 1994 edition.  
<sup>12</sup> Morgan Quibb Press. "Determining the Safest and Most Dangerous State Rankings" <http://www.gamblingguide.com/ncalg.htm>  
<sup>13</sup> and [www.betonline.com](http://www.betonline.com)  
<sup>14</sup> Grinde, Earl L. "Griping the Cards and Chips: Right thinking about gambling economics" p. 14.  
<sup>15</sup> Grinde, Earl L. "Gambling in America: Costs and Benefits" p. 55-5.  
<sup>16</sup> Abt, Victor, Ph.D. Unlv. Penn. Cited in Executive Summary, Casino...  
<sup>17</sup> ...  
<sup>18</sup> ...  
<sup>19</sup> ...  
<sup>20</sup> ...

# HOW you can help

Gambling expansionists spend hundreds of millions of dollars each year influencing lawmakers and voters. To counter their propaganda, we need to visit more communities, print more information and help more people. In short, we need contributions of time and money. Please be as generous as you can.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address 2: \_\_\_\_\_

City: \_\_\_\_\_

ST \_\_\_\_\_ ZIP \_\_\_\_\_

E-mail \_\_\_\_\_

\_\_\_\_ Please send occasional bulletins and action alerts to my E-mail address.  
(You can opt out at any time!)

\_\_\_\_ Please do NOT send E-mail.

My \$ \_\_\_\_\_ Donation is for

\_\_\_\_ NCACE. (May be used for political action)

\_\_\_\_ NCALG (Tax Deductible - for Education)

\_\_\_\_ Check enclosed!

\_\_\_\_ Please charge to my credit card

\_\_\_\_ VISA \_\_\_\_ MC \_\_\_\_ Discover \_\_\_\_ AmEx

Exp. Date \_\_\_\_/\_\_\_\_/\_\_\_\_

You may call NCALG with your credit card information:

**800-664-2680**

Send checks or mail to:

**100 Maryland Avenue NE  
Room 311**

**Washington, DC, 20002**

You can donate or send comments online at a

**[www.ncalg.org](http://www.ncalg.org)**



**EXCERPTS FROM THE 2006 CALIFORNIA PROBLEM  
GAMBLING PREVALENCE SURVEY**

**CALIFORNIA DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS  
OFFICE OF PROBLEM AND PATHOLOGICAL GAMBLING**

**DATA COMPILED BY NATIONAL OPINION RESEARCH CENTER  
UNIVERSITY OF CHICAGO**

past-year, monthly and weekly gamblers (see Table 6) by the number of adult Californians who participated in these activities at different rates in the past year (see Table 3).

**Table 7: Comparing Gross Revenues and Estimated Losses by Gambling Venue**

	2004 Gross Revenues	2005 Estimated Losses
Casino	\$5.78 billion	\$9.1 billion
Lottery	\$1.4 billion	\$1.7 billion
Track/OTB	\$800 million	\$426 million
Cardroom	\$655 million	\$591 million

Table 7 shows that there is a distinct lack of fit between reported gross revenues for tribal casinos in California and estimated losses among casino patrons as well as for gross revenues and estimated losses among racetrack bettors. Conversely, the fit between reported gross revenues for the California Lottery and the cardrooms and estimated losses among lottery playas and cardroom bettors is quite good.

There are at least two likely reasons for the lack of fit between reported revenues and estimated losses for tribal casinos and racetracks in California. One reason is the well-known tendency for survey respondents to over-state their expenditures on some gambling activities, particularly casino table games and pari-mutuel betting. Another reason is our inability—using survey methods—to account for sources of gambling revenues derived from out-of-state players and, separately, high-end players. A substantial fraction of gambling revenues, particularly from casino table games and some pari-mutuel betting pools, have historically been derived from a very small number of high-end players. Due to the amount of money that these individuals put into play at casinos (and to a lesser extent in other games), any denomination of gambling in monetary units based on survey data will likely be missing this component (Volberg, Gerstein et al, 2004).

## The Geography of Gambling in California

The relationship between increased access to legal gambling and the prevalence of at-risk, problem, and pathological gambling is important in light of the remarkable expansion of gambling throughout the U.S. and internationally over the last 25 years. Increased gambling opportunities create more problem and pathological gamblers by increasing the risk of exposure. As more people gamble, the risks are greater that individuals with specific vulnerabilities will gamble and develop problems related to their gambling. Major government reviews in the United States, Great Britain, Australia, and New Zealand have all concluded that increased gambling availability has led to an increase in

problem gambling and that future increases will generate additional problems (Abbott, 2001; Gambling Review Body, 2001; National Research Council, 1999; Productivity Commission, 1999).

One important goal of the California prevalence survey is to assess the distribution of gambling and problem gambling throughout the State in relation to geography. In this section, we examine the survey data in relation to gambling participation; we examine the data in relation to problem gambling in a later section (see *The Geography of Problem Gambling in California* on Page 66).

### ***Data Sources and Analytic Approach***

**Respondent Data.** The California survey included a series of questions designed to permit exploration of the proximity issue. Most pertinent here, we obtained the ZIP code of the respondent's primary residence to provide information comparable to the addresses of gambling regions and venues. Additionally, we asked all respondents their impressions regarding the number of casinos, racetracks, cardrooms, lottery outlets, and bingo halls within 20 minutes drive of their residence and we asked past-year gamblers how much time it took for them to get to each facility in which they last placed a bet during the year.

**Regions of California.** The Department of Alcohol and Drug Programs recognizes 15 sections of California, with each section including about four counties. In view of the size of the survey sample, we aggregated these 15 sections into six geographically contiguous regions as shown in Figure 2 on the following page. The regions varied in population from approximately 10 million in Los Angeles County (the only region comprised of a single county) to approximately 3 million in Upper Southern California, most of them living along the coast from Ventura to Santa Barbara and in the western corners of Riverside and San Bernardino counties, adjacent to coastal Los Angeles and Orange.

There are substantial differences in the demographic characteristics of the survey respondents residing in the six regions in California. Respondents in the Central and Upper Southern regions are least likely to be male while respondents in the Northern region are most likely to be male. Respondents in the Central region are most likely to be under the age of 40 while those in the Northern region are most likely to be age 40 and over. Respondents in the Northern region are the most likely and those in the Bay Area and Los Angeles regions the least likely to have been born in the United States. Finally, respondents in the Northern region are the most likely to be non-Hispanic whites; respondents in the Los Angeles and Central regions are the most likely while those in the Bay Area and Northern regions are the least likely to be Hispanic; respondents in the Los Angeles region are most likely to be African American and respondents in the Bay Area are far more likely to be Asian than respondents in every other region of the state—50% more likely than

This table shows that average past-year **casino** losses increase significantly across the low-risk, at-risk and problem gambling groups with **losses** among problem and pathological gamblers just over ten times higher than **among** low-risk gamblers. **Losses** on private wagering and the lottery show a similar trend, increasing significantly as gambling problems increase. Past-year losses on horse race betting are **significantly higher** among problem gamblers compared with low-risk and at-risk gamblers. Past-year cardroom **losses** are **significantly higher among** problem gamblers compared with low-risk gamblers but **the differences** between low-risk and at-risk gamblers, on the one hand, and at-risk and problem gamblers, on the other, are not statistically **significant**. The differences in past-year losses on Internet gambling across gambler types are not statistically significant and none of the pairwise comparisons are significant for past-year losses on bingo.

When past-year **losses** are summed across the **various venues**, problem and pathological gamblers ( $M = \$10831.80$ ,  $SE = 1124.59$ ) are losing significantly more money than either at-risk gamblers ( $M = \$2590.72$ ,  $SE = 326.03$ ) or low-risk gamblers ( $M = \$918.22$ ,  $SE = 95.35$ ) and at-risk gamblers are spending significantly more money than low-risk gamblers ( $F(2, 2670) = 210.85$ ,  $p < .001$ ).

### *proportion of losses by Problem Gambler Type*

We noted above that there is great interest among policymakers, regulators and other stakeholders in the question of the proportion of gambling revenues accounted for by problem and pathological gamblers. While there are difficulties in obtaining accurate information on gambling losses from survey respondents, it is possible to examine the proportion of reported losses accounted for by low-risk, at-risk and problem and pathological gamblers to obtain an approximation of how heavily different sectors of the legal gambling industry in California rely for revenues on problem and pathological gamblers.

Table 24 presents information about the proportion of losses accounted for by low-risk, at-risk and problem and pathological gamblers for the largest sectors of the gambling industry in California. This table shows that tribal casinos and cardrooms are the sectors of the gambling industry in California that rely most heavily on problem and pathological gamblers for revenues. As a group, problem and pathological gamblers account for over 50% of the losses reported by all of the respondents who gambled at a casino or cardroom in the past year. More generally, the data in this table indicate that problem and pathological gamblers account for much larger proportions of annual losses than their prevalence in the general population, or even among past-year participants in specific gambling activities, would suggest (see Table 14 on Page 63).

	Total Estimated Losses	Low-Risk Gamblers %	At-Risk Gamblers %	Problem & Pathological Gamblers %	Sig.
Lottery	\$1.7 billion	51.4	16.6	32.0	<.001
casino	\$9.1 billion	25.2	22.4	52.4	<.001
Track/OTB	\$426 million	48.9	9.2	41.9	.003
Cardrooms	\$591 million	17.2	28.1	54.7	.018

As we have noted elsewhere, there is evidence that all gamblers engage in a range of cognitive biases, including illusions of control, superstitions, erroneous beliefs, biased evaluation of outcomes, and distorted assumptions about randomness (Ladouceur & Walker, 1996). There is no scientific evidence at present to support the notion that problem gamblers' reporting errors are different from low-risk gamblers' reporting errors. However, if this were the case, then survey estimates of the proportion of losses for a particular game derived from problem gamblers or frequent players will be affected by these errors. Further research is needed to examine this issue in depth.

## Physical, Mental, and Emotional Correlates of Problem Gambling

### Physical and Mental Health

Table 25 presents differences between low-risk, at-risk and problem gamblers on several health-related dimensions. This table shows that problem gamblers are significantly more likely than at-risk or low-risk gamblers in California to identify their physical health status as poor or fair as opposed to good or excellent

**Table 25: Differences in Physical and Mental Health by Problem Gambler Type**

	Low-Risk Gamblers (4982) %	At-Risk Gamblers (674) %	Problem & Pathological Gamblers (264) %	Sig.
General health poor to fair	20.5	26.5	36.2	<.001
Physical impairment	19.4	21.4	34.5	<.001
Mental impairment			11.6	<.001
Depression (past year)	12.2	20.3	37.0	<.001
Suicidal thoughts (ever)	7.9	13.1	19.7	<.001
Suicide attempt (ever)	2.3	4.5	8.0	<.001

Problem gamblers are also significantly **more** likely than at-risk **or** low-risk gamblers to acknowledge that they presently have a physical disability (including hearing problems, vision problems and mobility problems) **or** an emotional **or** mental disability. **Finally**, problem gamblers **are** significantly more likely than at-risk **or** low-risk gamblers to have experienced symptoms **of** major depression at some time in **their** **lives** and **within** the past **12 months** and to have ever contemplated or attempted suicide.

### *Tobacco, Alcohol and Illicit Drugs*

Table 26 **presents** information about tobacco, alcohol and illicit drug use among low-risk, at-risk and problem gamblers in California. **This** table shows that at-risk and problem gamblers in California are significantly **more likely** than low-risk gamblers to smoke cigarettes on a daily basis. The table **also** shows that past-year illicit **drug** use is significantly **higher** among at-risk and problem gamblers than **among** low-risk gamblers. Marijuana is the most frequently used illicit drug followed by tranquilizers, cocaine, other **drugs** (including **drugs**, hallucinogens, opiates and **inhalants**) and methamphetamine. Past-year **marijuana** use is correlated **generally** with gambling-related problems and **shows** little variation in relation to problem level. Past-year tranquilizer, cocaine, methamphetamine and other illicit drug use is significantly **higher** among pathological gamblers **compared** with problem gamblers as is daily cigarette smoking (see Table XX in Appendix A).

**Table 26: Tobacco, Alcohol and Drug Use Among Low-Risk, At-Risk and Problem Gamblers**

	Low-Risk Gamblers (4982) %	At-Risk Gamblers (674) %	Problem & Pathological Gamblers (264) %	Sig.
<b>Tobacco and Alcohol Use</b>				
Daily cigarette use	12.3	25.9	29.0	<.001
Weekly alcohol use	18.3	21.2	15.4	.090
Largest # drinks in 24 hours (past year)				
Didn't drink in past year	31.4	28.3	37.9	<.001
1 - 2	44.8	26.5	32.9	
3 - 4	26.0	22.4	20.7	
5 - 7	15.6	21.3	19.5	
8 or more	13.7	29.8	25.8	
<b>Drug Use</b>				
Past year marijuana use	8.2	16.7	17.4	<.001
Past year tranquilizer use	1.5	3.3	5.8	<.001
Past year cocaine use	1.0	2.7	...	<.001
Past year other drugs	1.0	1.3	4.2	<.001
Past year methamphetamine use	0.7	1.9	4.6	<.001

Given the abundance of research demonstrating a link between alcohol misuse and gambling-related problems, it is surprising that the relationship between weekly alcohol *consumption* and gambling-related problems in California is not statistically significant. An even more surprising finding is that problem gamblers in California are *the least likely* respondents to have consumed *any* alcoholic beverages in the past year. Despite significantly lower rates of past-year alcohol consumption, the lifetime rate of help-seeking for an alcohol or drug problem is significantly higher among problem gamblers than among low-risk or at-risk gamblers. Among respondents who had consumed alcohol in the past year, 4% of low-risk gamblers and 7% of at-risk gamblers have ever sought help for problems related to their drinking or drug use compared with 10% of problem gamblers and 23% of pathological gamblers ( $p < .001$ ).

### ***Family, Indebtedness and Criminal Justice Impacts***

Table 27 shows differences in the impacts of problematic gambling on family, indebtedness and the criminal justice system among low-risk, at-risk and problem gamblers in California. This table shows that problem gamblers in California are significantly more likely than low-risk or at-risk gamblers to have been troubled in the past year by the gambling involvement of someone they know. Respondents who have been concerned about the gambling of someone with whom they do not live are most likely to have been concerned about a friend or acquaintance (59%), followed by immediate family members (18%, primarily siblings and parents) and extended family members (15%). This table also shows that problem gamblers in California are significantly more likely than low-risk or at-risk gamblers to have been troubled by the gambling of someone they lived with in the past year. Respondents concerned about the gambling of someone they live with are most likely to have been concerned about a spouse or domestic partner (36%), followed by immediate family members (24%) and friends or acquaintances (23%). While low-risk and at-risk gamblers are most likely to have been concerned about a spouse or domestic partner, problem gamblers are most likely to have been concerned about a friend or family member.

In a further indication of the impact of problem gambling on families, respondents who answered the problem gambling questions in the survey were queried at the end of this section about whether they had ever argued with a family member about their gambling to the point where it became emotionally harmful. When asked if they had ever argued with a family member about their gambling, 2% of at-risk gamblers, 10% of problem gamblers and 29% of pathological gamblers replied that they had argued about their gambling to the point where it became emotionally harmful.



**Table 27: Differences in Family, Financial and Criminal Justice Impacts by Problem Gambler Type**

	Low-Risk Gamblers (4982) %	At-Risk Gamblers (674) %	Problem & Pathological Gamblers (264) %	Sig.
Troubled by someone else's gambling	12.0	15.0	30.3	<.001
Troubled by gambling of s'one you live with	2.4	3.6	8.0	<.001
Household debt				
None	19.4	16.3	26.8	<.001
Less than \$10,000	18.8	25.1	17.7	
\$10,000 - \$200,000	33.8	33.6	33.3	
\$200,000 or more	28.0	25.1	22.1	
Don't know or refused	16.1	11.2	6.9	
Ever filed for bankruptcy	7.9	9.0	11.3	.105
Ever arrested	13.5	25.0	35.1	<.001
Ever incarcerated	6.3	11.1	20.5	<.001

This table also shows that there are significant differences among low-risk, at-risk and problem gamblers in California with regard to amounts of household debt, including car loans, student loans, credit card debt, mortgages and other loans. However, the difference is only significant because low-risk gamblers are much more likely to claim that they do not know the extent of their indebtedness or refuse to answer the question while problem gamblers are much more likely to say that they do not have any household debt. In contrast to similar surveys in other jurisdictions, there is no significant difference in rates of bankruptcy among low-risk, at-risk and problem gamblers.

Finally, this table shows that problem gamblers in California are significantly more likely than low-risk or at-risk gamblers to have ever been arrested and incarcerated. As Table A-29 in Appendix A shows, pathological gamblers, in turn, are significantly more likely than problem gamblers to have ever been arrested and ever incarcerated, suggesting that the magnitude of criminal justice impacts increases with problematic gambling status.

RESOLUTION NO. 2009-89

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING  
THE ALTERNATIVE TO MEASURE K RAILROAD GRADE  
SEPARATION PROJECT

=====

WHEREAS, in 1992 the Measure K Strategic Plan identified 14 railroad grade separation projects and were prioritized based on criteria developed by the San Joaquin Council of Governments (SJCOG); and

WHEREAS, the only Lodi project identified was Lodi Avenue at the Union Pacific right-of-way; and

WHEREAS, in 1997, the City Council of the City of Lodi decided not to pursue the grade separation project due to impacts related to the downtown area and the relative high cost of the project; and

WHEREAS, the SJCOG has requested that the City reaffirm its position relative to Lodi Avenue as there is potential to accelerate the construction of a project in Lodi; and

WHEREAS, City staff has reviewed the issues surrounding the City Council decision in 1997 and feel the same reasons apply today; and

WHEREAS, City staff has asked SJCOG to review the Harney Lane crossing as an alternative as those issues do not exist at Harney Lane; and

WHEREAS, the right-of-way has already been obtained on the north side of Harney Lane along with the right-of-way in the southeast quadrant being anticipated as part of the Reynolds Ranch project; and

WHEREAS, the Planning Commission reviewed this item at its meeting on May 27, 2009, and has recommended that the City Council adopt the alternative as Harney Lane.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi does hereby approve the Harney Lane Measure K Railroad Grade Separation Project.

Dated: June 17, 2009

=====


I hereby certify that Resolution No. 2009-89 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 17, 2009, by the following vote:

AYES: COUNCIL MEMBERS – Johnson, Mounce, and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hitchcock and Katzakian

ABSTAIN: COUNCIL MEMBERS – None

  
RANDI JOHL  
City Clerk